REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 17-21 are presently active in this case, Claims 17-21 having been amended by way of the present Amendment.

In the outstanding Official Action, Claims 17-21 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The specific grounds for rejection are recited 2-3 of the Official Action. Claims 17-21 have been amended to address the indefiniteness rejections raised in the Official Action. The Applicant respectfully submits that the amended claims are definite under 35 U.S.C. 112, second paragraph. Regarding the question raised about the terms "filament" and "strand," the claims have been amended to clarify that each strand is formed of filaments. Additionally, the question raised about the "filament dispersion gradient," the Applicant notes that the specification provides a definition of this phrase on page 8, lines 19-32. More specifically, the filament dispersion gradient refers to varying degrees of filament dispersion within layers of the mat. Accordingly, the Applicant respectfully requests the withdrawal of the indefiniteness rejections.

The Applicant hopes that the clarification of the claims will also further the prosecution of the present application with respect to the art rejections.

Claims 17-21 were rejected under 35 U.S.C. 102(e) as being anticipated by Pike et al. (U.S. Patent No. 6,352,948 B1). Claims 19 and 21 were rejected under 35 U.S.C. 102(e) as being anticipated by Pike et al. as evidenced by either Jackson et al. (U.S. Patent No.

5,952,251) or Austin et al. (U.S. Patent No. 5,144,729). For the reasons discussed below, the Applicant traverses the anticipatory rejection.

Claims 17, 18, and 21 of the present application each recite a mat comprising at least one first layer of at least one strand formed of filaments, and at least one second layer of at least one strand formed of filaments that are at least partly opened. The Applicant submits that the Pike et al. reference does not disclose such a mat.

The Pike et al. reference describes a multilayer laminate including a fine fiber nonwoven composite web which is a mixture of a first group of fibers and a second group of fibers such that the first and second fibers include polymers that are incompatible with each other. The fine fiber nonwoven composite web is bonded to a barrier layer (82) such as a microporous film or a nonwoven web of meltblown fibers. The Pike et al. reference does not disclose at least one first layer of at least one strand formed of filaments, as recited in Claims 17, 18, and 21. The barrier layer (82) of the Pike et al. reference provides a protective cover for the laminate described therein. (See column 10, lines 62-66.) Thus, the Pike et al. reference describes the barrier layer (82) as fluid impervious films or webs. (See column 8, lines 35-67.) However, the Pike et al. reference does not disclose a first layer of at least one strand formed of filaments, as expressly recited in Claims 17, 18, and 21 of the present application. Accordingly, the Applicant respectfully requests the withdrawal of the anticipation rejection of Claims 17, 18, and 21 based upon the Pike et al. reference.

Furthermore, regarding Claim 18, the Applicant submits that the Pike et al. reference does not disclose at least one layer that has a filament dispersion gradient.

Claims 17-21 were rejected under 35 U.S.C. 102(e) as being anticipated by Neveu et al. (U.S. Patent No. 5,253,397). For the reasons discussed below, the Applicant traverses the anticipatory rejection.

As noted above, Claims 17, 18, and 21 of the present application each recite a mat comprising at least one first layer of at least one strand formed of filaments, and at least one second layer of at least one strand formed of filaments that are at least partly opened. The Applicant submits that the Neveu et al. reference does not disclose such a mat.

The Neveu et al. reference describes a hydrophilic non-woven made by hydraulic binding from unbleached cotton or other natural, ligno-cellulose fibers. Figure 5 depicts a fiber sheet (101) that is acted upon by a set of injector arrays (116) that assure fiber tangling. Then the sheet is driven toward a second unit (120) where it receives a foil of cellulose wadding (103).

The Applicant notes that the Neveu et al. reference does not open the fiber sheet (101), but rather tangles the fibers therein. Accordingly, the Neveu et al. reference does not disclose at least one second layer of at least one strand formed of filaments that are at least partly opened, as expressly recited in Claims 17, 18, and 21 of the present application. Additionally, the Neveu et al. reference does not does not disclose a first layer of at least one strand formed of filaments, as expressly recited in Claims 17, 18, and 21 of the present application. Accordingly, the Applicant respectfully requests the withdrawal of the anticipation rejection of Claims 17, 18, and 21 based upon the Neveu et al. reference.

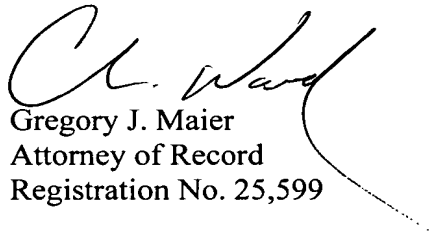
Furthermore, regarding Claim 18, the Applicant submits that the Pike et al. reference does not disclose at least one layer that has a filament dispersion gradient.

Claims 19, 20, and 22-24 are considered allowable for the reasons advanced for Claim 18 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 18.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Christopher D. Ward
Registration No. 41,367

22850
Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/00)

GJM/CDW/brf
I:\atty\cdw\201975US3PCT\am1.wpd

Marked-Up Copy
Serial No.: 09/774,177
Amendment Filed on: February 24, 2003

IN THE CLAIMS

1-16. (Cancel)

17. (Twice Amended) [Mat] A mat comprising:

[one or more] at least one first layer [(layers)] of at least one [integrated stand(s)] strand formed of filaments; and

[one or more] at least one second layer [(layers)] of [stand(s)] at least one strand formed of filaments that are at least partly opened [in the form of filaments and capable of being obtained according to the process of Claim 1],

wherein said at least one first layer is superposed on said at least one second layer.

18. (Once Amended) [Mat] A mat comprising:

[one or more] at least one first layer [(layers)] of at least one [integrated stand(s)] strand formed of filaments; and

[one or more] at least one second layer [(layers)] of [stand(s)] at least one strand formed of filaments that are at least partly opened [in the form of filaments],

wherein the [latter] at least one second layer [or layers having] has a filament dispersion gradient.

19. (Once Amended) [Mat] The mat according to Claim 18, [whereby] wherein the [strands] at least one strand of the at least one first layer and the at least one strand of the at

least one second layer are formed of reinforcing filaments of at least one of a reinforcing material and [, preferably glass filaments, and/or filaments of] an organic material.

20. (Twice Amended) [Mat] The mat according to Claim 18, [whereby] wherein the [strands] at least one strand of the at least one first layer and the at least one strand of the at least one second layer are continuous strands.

21. (Twice Amended) [Composite] A composite comprising:

at least one of an organic material [and/or one] and an inorganic material; and

at least one mat comprising:

at least one first layer of at least one strand formed of filaments; and

at least one second layer of at least one strand formed of filaments that are at least partly opened

[at least one reinforcing strands, characterized in that it comprises at least one mat according to Claim 17].